

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**

9 ALMA SUE CROFT, individually and on behalf
10 of all others similarly situated,

11 Plaintiff,

12 v.

13 SPINX GAMES LIMITED, GRANDE GAMES
14 LIMITED, and BEIJING BOLE TECHNOLOGY
15 CO., LTD.,

16 Defendants.
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 2:20-cv-01310-RSM

**DECLARATION OF ALMA SUE CROFT IN
SUPPORT OF MOTION FOR
ATTORNEYS' FEES AND EXPENSES AND
ISSUANCE OF INCENTIVE AWARD**

DECLARATION OF ALMA SUE CROFT

I, Alma Sue Croft, pursuant to 28 U.S.C. § 1746, declare as follows:

1. The statements made in this Declaration are based on my personal knowledge and, if called as a witness, I could and would testify thereto under oath.

2. I submit this Declaration in support of Plaintiff's Motion for Attorneys' Fees and Expenses and Issuance of Incentive Award.

3. My late son, William Heathcote, first filed this class action over two years ago, in September of 2020. My son was a citizen of the State of Washington.

4. My son played Defendants' Cash Frenzy Casino mobile application within the State of Washington from approximately June 2020 to August 2020, and he lost approximately \$300.

5. After my son unexpectedly passed away in January 2022, I moved the Court to be substituted in his place as the named Plaintiff and Class Representative in this matter.

6. From when he first filed the case until shortly before his death, my son actively represented the Class, and I have actively represented the Class since his passing and being substituted as named Plaintiff.

7. For example, my son was intricately involved in Class Counsel's investigation and prosecution of the claims at issue, and he provided Class Counsel with documents and personal insight which enabled them to gain insight into the intricacies of Defendants' Applications.

8. Since the case was filed and up to shortly before his death, my son was in frequent communication with Class Counsel, and he was actively involved in the settlement negotiation process.

9. Once my son passed away, I filled his role as named Plaintiff and Class Representative by closely reviewing the terms of the Settlement, discussing it with my attorneys, and signing it. I approved the Settlement because I believe it is fair and in the best interests of the Class.

10. Since being substituted as Class Representative, I too have remained in regular communication with my attorneys, including exchanging emails, phone calls, responding to

1 requests for information, and reviewing and signing papers when necessary. In addition, I was
2 prepared to testify at deposition and trial, if necessary.

3 11. Both my son and I have made substantial personal sacrifices for the benefit of the
4 Class, and we have spent dozens of hours in fulfilling our duties as Class Representative.

5 12. For both myself and my son, all of the time we contributed toward the successful
6 prosecution of this case came at the expense of time we could have spent with friends or family.

7 13. At all times I understood that I would receive the same result as all of the other
8 class members and that I was not entitled to or promised anything other than what all class
9 members would receive; that my share of any settlement or judgment would be calculated on the
10 same bases as all other class members.

11 14. I have never been promised nor have I ever expected anything in addition to
12 what the class would receive. I was not promised an incentive award, and I did not make any
13 decision in this case, including to accept the terms of the settlement, in exchange for anything
14 other than what the class would receive through the settlement.

15 15. I have done my best to pursue this litigation and act in the best interests of the
16 Settlement Class, which both my son and I agreed to represent. I believe the proposed settlement is
17 in the best interests of the class, represents a fair and reasonable compromise, and should be
18 approved.

19
20 I declare under penalty of perjury that the foregoing is true and correct. Executed on
21 October 17, 2022 in Wetumpka, Alabama.

22 
23 Alma Sue Croft (Oct 17, 2022 19:25 CDT)

24 Alma Sue Croft